

1 AN ACT relating to economic and workforce development and making an
2 appropriation therefor.

3 WHEREAS, the General Assembly finds and declares that coal mining jobs in
4 Kentucky are decreasing at an alarming rate. Over 6,000 coal jobs were lost in Kentucky
5 in 2015 alone. Since 2011, over one-half of all Kentucky coal jobs have been eliminated,
6 with many of the mine layoffs concentrated in eastern Kentucky; and

7 WHEREAS, many individuals formerly employed in the coal industry have found
8 themselves displaced from the workforce and will require assistance in obtaining and
9 improving the knowledge and skills necessary to fully participate in Kentucky's
10 workforce; and

11 WHEREAS, in his biennial budget recommendations, Governor Matthew Bevin
12 recommended a 100-million-dollar bond issue for the Education and Workforce
13 Development Cabinet to invest with local communities experiencing a growing demand
14 for high-skill jobs; and

15 WHEREAS, Representative Hal Rogers has sponsored the RECLAIM Act of 2016
16 in the United States House of Representatives, which would accelerate one billion dollars
17 in funding to assist coal communities hit hardest by the downturn of the coal industry
18 through economic development and job creation; and

19 WHEREAS, the General Assembly must be committed to assisting all dislocated
20 coal workers with education and retraining necessary to reenter the workforce and look to
21 create new programs to provide this assistance;

22 NOW, THEREFORE,

23 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

24 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 151B IS CREATED TO
25 READ AS FOLLOWS:

26 **(1) The Education and Workforce Development Cabinet shall develop and**
27 **implement a program to assist in the education, retraining, and reemployment of**

1 dislocated coal industry workers.

2 (2) The secretary of the Education and Workforce Development Cabinet shall
3 promulgate administrative regulations in accordance with KRS Chapter 13A on
4 or before December 31, 2017, necessary for the proper development and
5 implementation of the program.

6 (3) The secretary of the Education and Workforce Development Cabinet shall
7 prepare and submit to the Legislative Research Commission annual reports of the
8 operations of the program set forth in this section. The annual report shall be
9 submitted on or before October 1 of each year, and shall provide information
10 from the previous fiscal year.

11 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 18A IS CREATED TO
12 READ AS FOLLOWS:

13 (1) As used in this section, "coal miner" means any person who has performed a
14 duty in a mine pursuant to KRS Chapter 351.

15 (2) A coal miner with at least five (5) years of surface or underground coal mining
16 experience shall have five (5) points added to his or her entrance examination
17 score for classified positions.

18 (3) The preference points granted by subsection (2) of this section shall be added to
19 entrance examination scores for classified positions only if the score is
20 determined by the secretary to be a passing score and after verification of the
21 required experience. The total of the entrance examination score and the
22 preference points may exceed one hundred (100).

23 (4) (a) When a register certificate is transmitted to a state agency for employment
24 consideration, that certificate shall clearly identify all individuals entitled to
25 preference points under subsection (2) of this section, whether or not an
26 examination is actually a part of the selection method. Regardless of the
27 selection method used to fill a vacancy, these individuals shall be clearly

1 identified.

2 (b) 1. If the number of individuals identified in paragraph (a) of this
3 subsection is fewer than five (5), the employing agency shall offer an
4 interview to all individuals identified in paragraph (a) of this
5 subsection, including individuals presently employed by the
6 Commonwealth of Kentucky and applying for another classified
7 position within state government.

8 2. If the number of individuals identified in paragraph (a) of this
9 subsection equals or exceeds five (5), the employing agency shall offer
10 an interview to no fewer than five (5).

11 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 198A IS CREATED TO
12 READ AS FOLLOWS:

13 (1) The Kentucky Housing Corporation, either through the Kentucky Home
14 Performance program, or through creation of a separate program or programs,
15 shall:

16 (a) Provide subsidies and low-interest loans for home energy efficiency
17 programs based upon whole-house improvements;

18 (b) Provide training, through a program with the Kentucky Community and
19 Technical College System, in energy auditing and energy efficient
20 contracting certification, with a special emphasis upon retraining workers
21 displaced from coal industry and coal-related employment to serve as
22 contractors under the Kentucky Home Performance program;

23 (c) Provide low-interest and no-interest loans to homeowners and owners of
24 rental units for investments in energy efficiency improvements; and

25 (d) Provide subsidized energy efficient improvements for homeowners living
26 below specified income thresholds through a program managed by local
27 Community Action Agencies. The Kentucky Housing Corporation, in

1 conjunction with the Community Action Agencies, shall create a process of
2 identifying eligible homeowners for these services.

3 (2) (a) Beginning July 1, 2018, the programs listed in subsection (1) of this section
4 shall be funded with coal severance tax receipts collected pursuant to KRS
5 143.020, in an annual amount equal to one percent (1%) of the coal
6 severance tax receipts remaining in the general fund after the transfers
7 required by KRS 42.4582 have been made.

8 (b) The Kentucky energy efficiency fund is hereby created as a separate
9 restricted fund in the State Treasury. The Kentucky energy efficiency fund
10 shall be administered by the Finance and Administration Cabinet. Interest
11 earned on any money in the account shall accrue to the Kentucky energy
12 efficiency fund. Funding set forth in this subsection shall become part of
13 the Kentucky energy efficiency fund. Moneys deposited into the Kentucky
14 energy efficiency fund shall not be appropriated or transferred by the
15 General Assembly for any other purpose.

16 (c) Transfers to the Kentucky energy efficiency fund shall be made quarterly,
17 based on the revenue estimates in place at the time each quarterly transfer
18 is made, with any adjustments to reflect actual receipts made in the first
19 quarterly transfer following the close of the prior fiscal year.

20 (d) All amounts transferred to the Kentucky energy efficiency fund under this
21 subsection shall be used only for the purposes set forth in this section.
22 Notwithstanding KRS 45.229, any moneys remaining in the fund at the
23 close of a fiscal year shall not lapse, but shall be carried forward into the
24 succeeding fiscal year for the purposes established by this section.